IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA **NORTHERN DIVISION**

Document 14

) Plaintiff,)	
Plaintiff,)	
,	
) CIVIL ACTION NUM	IBER:
v.)	
) 2:06-cv-927-MEF	
DOLGENCORP, INC.,)	
)	
Defendant.)	

DEFENDANT DOLGENCORP, INC.'S EVIDENTIARY SUBMISSION IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT

COMES NOW Defendant Dolgencorp, Inc. ("Defendant" or "Dolgencorp") and files its Evidentiary Submission in Support of its Motion for Summary Judgment.

1. Declaration of Tracy M. Loftis, with Exhibits.

Respectfully submitted,

s/Christopher W. Deering Bar No.: ASB-5555-I71C

Christopher W. Deering, Esq. Ryan M. Aday, Esq. Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

One Federal Place, Suite 1000 1819 Fifth Avenue North Birmingham, Alabama 35203 Telephone: (205) 328-1900 Facsimile: (205) 328-6000

E-mail: christopher.deering@odnss.com

E-mail: ryan.aday@odnss.com

CERTIFICATE OF SERVICE

I hereby certify that on January 18th, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Jere L. Beasley -- jere.beasley@beasleyallen.com

Wilson Daniel Miles, III -- dee.miles@beasleyallen.com

Roman Ashley Shaul -- roman.shaul@beasleyallen.com

s/Christopher W. Deering

Christopher W. Deering Bar Number: ASB-5555-I7IC Attorney for Defendant, Dolgencorp, Inc.

4601832.2

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

KATHY JONES,)
Plaintiff,)) CIVIL ACTION NUMBER
v.)
) 2:06-cv-927-MEF
DOLGENCORP, INC.,)
)
Defendant.)

DECLARATION OF TRACY M. LOFTIS

- I am currently employed as a Legal Assistant in Dollar General's Law Department located in Goodlettsville, Tennessee. I have been employed by Dollar General since March 26, 2001. I am over the age of 18. I have personal knowledge of the matters set forth in this declaration.
- 2. In my position, I am one of the employees designated to have access to certain files, records, and data, including personnel files and payroll records, relating to employees in Dollar General stores, including store level employees. Specifically, I have access to and knowledge of the employment data, personnel file, payroll records and other documents pertaining to the Plaintiff in this case, Kathy Jones.
- 3. In connection with providing this declaration, I have retrieved records relating to a Department of Labor Wage & Hour investigation of Store No. 7267, which commenced in October 2005, and involved Kathy Jones. These documents are business records kept in the ordinary course of business, and it is the regular course of business for employees or representatives of Dollar General to make or otherwise maintain these records at or near, the time of the relevant employment or operational actions.
- Attached to this Declaration as Exhibit "1" is a true and correct copy of a letter dated October 19, 2005, from Yvette R. Davis, Department of Labor Investigator, to Jennifer Cook, attorney for Dollar General.

- 5. Attached to this Declaration as Exhibit "2" is a true and correct copy of a letter that I sent to Kathy Jones dated December 13, 2005, enclosing a check made payable to her in the gross amount of \$185.84 (the "Check"), along with a Receipt for Payment of Lost or Denied Wages (the "Receipt") for her signature. On or about December 8, 2005, the Department of Labor provided Dollar General with the Receipt, and instructed that Dollar General secure the signature of Kathy Jones for the Receipt, and return it to the Department of Labor. A true and correct copy of such written instruction from the Department of Labor is attached hereto as Exhibit "6."
- Attached to this Declaration as Exhibit "3" is a true and correct copy 6. of a letter that I sent to Yvette R. Davis dated December 14, 2005. With that letter, in accordance with Department of Labor instructions, I enclosed copies of the letters and checks that were sent to the affected employees, as determined by the Department of Labor, including Kathy Jones.
- 7. Attached to this Declaration as Exhibit "4" is a true and correct copy of a letter that I sent to Yvette R. Davis, in accordance with Department of Labor instructions, on February 1, 2006, executed Receipts from the employees in question who signed and returned the Receipt, and copies of cancelled checks for those employees who did not sign and return a Receipt.
- Attached to this Declaration as Exhibit "5" is a true and correct copy 8. of the cancelled Check negotiated by Kathy Jones.
 - 9. Dolgencorp never received an executed Receipt from Kathy Jones.

I declare under penalty of perjury that the foregoing two-page declaration is true and correct. Executed on January 17

Tragy M. Loftis

4604280.3

EXHIBIT 1

10-19-2005 15:03 From-US DOL WAGE & HOUR

334 223 7746

T-458 P.002

F-111

U.S. Department of Labor

Employment Standards Administration Wage and Hour Division 4001 Carmichael Road, Suite 215 Montgomery AL 36106 Telephone: (334) 223-7588 Ext. 14 Fax (334) 223-7748



Oc ober 19, 2005

Dc lar General #72 2250 East South Boulevard Montgomery AL 36116

SUBJECT: Visit by Wage and Hour Investigator

DE 37 Ms. Jennifer Cook,

The Wage and Hour Division is responsible for the administration and enforcement of a number of Federal laws involving labor standards. These include the Fair Labor Standards Act, Family and Medical Leave Act, Public Contracts Act, Service Contracts Act, and Title II of the Consumer Credit Protection Act. The Division also has certain responsibilities under the Davis Bacon Act and related statutes, including the Contract Work Hours and Safety Standards Act.

This is to advise you that an investigation of your business has been scheduled to determine if your employees have been paid in accordance with the requirements of the Fair Labor Standards Act and any other applicable acts as listed above. You are requested to provide the following information covering the last two years ending with your last completed workweek:

V. Timecards or timesheets for all employees

- 2. Payroll records showing each employee's
 - Name, address, Social Security Number, telephone number
 - Occupation
 - Period of employment
 - •Rate(s) of pay, including dates of any changes in rate(s)
 - •Total hours worked each workweek
 - ■Total wages paid each pay period ✓
 - Total daily or weekly straight time earnings or wages
 - Total overtime-excess compensation for the workweek
 - Total additions to or deductions from wages paid each pay period
 - Date of payment and the pay period covered by the payment
 - Records of all compensatory time or banked hours
- 3. 1099's for claimed independent contractors or day laborers

F-111

10-19-2005 15:03 From-US DOL WAGE & HOUR 334 223 7746 T-458 P.DO3

- 4. Employer Identification Number
- 5. Gross Annual Dollar Volume of sales/business for the last 3 years (2004, 2003, and 2002)

I will also need the information requested on the enclosed worksheet, and I will need to examine the I-9 forms which employers are required by the immigration and Nationality Aci to prepare and maintain as verification of employees' employment eligibility.

This list is not meant to be all inclusive and additional records may be requested as needed. Please have these records for all locations.

Every effort will be made to conduct this assignment expeditiously and with a minimum of inconvenience to you and your employees.

Sincerely,

W∉**g**e Hour Investigator

Er :losure:

Handy Reference Guide

Worksheet Fact Sheet #44

EXHIBIT 2



DOLLAR GENERAL CORPORATION

Telephone: (615) 855-5156 Facsimile: (615) 855-5154 e-mail: tloftis@dollargeneral.com

1 00 Mission Ridge Goodlettsville, TN 37072

615.855.4000

www.dallargeneral.com

December 13, 2005

Kathy Jones 8444 Water Oak Ct. Montgomery, AL 36117

RE: Backwages

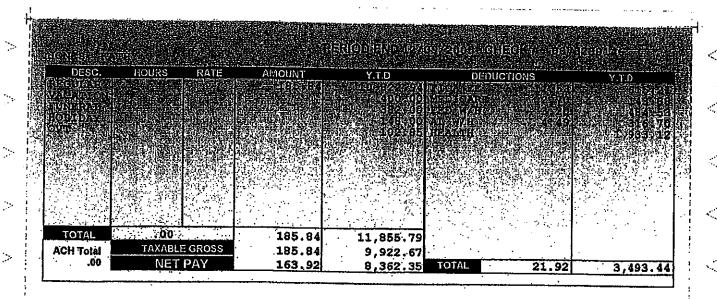
Dear Ms. Jones:

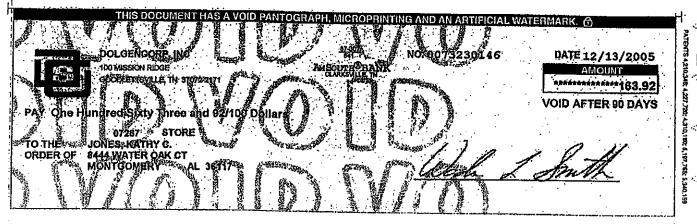
Enclosed please find backwages owed to you by Dollar General in the gross amount of One Hundred Eighty-Five and 84/100 Dollars. Also enclosed is a Receipt for Payment of Lost or Denied Wages. Please sign this upon receipt and return it to my attention in the enclosed prepaid, self-addressed, stamped envelope.

Sincerely,

DOLLAR GENERAL CORPORATION

Tracy M. Loftic Legal Assistant





#*OO73230146# #O64103079# 1000080579#

See Reverse Side For Easy Opening Instructions



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ATTN: PAYROLL DEPARTMENT DOLGENCORP, INC C/O DOLLAR GENERAL CORPORATION GOODLETTSVILLE, TN 97072-2171

ADDRESS SERVICE REQUESTED

DEPT 07267 STORE JONES, KATHY C. 8444 WATER OAK CT MONTGOMERY AL 36117

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The	Family	reed lasteM bru	e Act 3		The Contract V	Nork Hours and Safety Standar			
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UNDER U.S CODE, TITLE 18, SEC. 1001.

1. WAGE AND HOUR COPY

Date: 12/01/2005 3:37:38 PM

Case ID: 1419762

Page 3

EXHIBIT 3

December 1 1

DOLLAR GENERAL CORPORATION

Telephone: (615) 855-5156 Facsimile: (615) 855-5154 e-mail: tloftis@dollargeneral.com

100 Mission Ridge Goodlettsville, TN 37072 615.855.4000

www.dollargeneral.com

Internal handwriting redacted

---- representing back

Via Facsimile: 334-223-7746 Followed Via U.S. Mail

Yvette R. Davis Wage & Hour Investigator U.S. Department of Labor 4001 Carmichael Road, Suite 215 Montgomery, AL 35105

> Dolgencom, Inc. D/b/a Dollar RE:

Dear Ms. Davis:

As instructed by the Department of Labor wages to the following employees:

> 1 Patricia Abshire SSN: 550-37-3558

Gross Amount: Two Hundred Twenty-Five and 38/100 Dollars (\$225.38)

2. Shaniki Culbertson SSN: 423-23-3239

Gross Amount: Eighty-Nine and 16/100 Dollars (\$89.16)

3. Kathy Jones

SSN: 422-86-3088

Gross Amount: One Hundred Eighty-Five and 84/100 Dollars (\$185.84)

4. Theresa Mims

SSN: 418-96-9206

Gross Amount: One Hundred Forty-Six and 00/100 Dollars (\$146.00)

I have enclosed copies of each check. Also enclosed is a copy of the U.S. Department of Labor's Summary of Unpaid Wages signed by Jennifer Gingery Cook. I will forward the signed copy of the Back Wage Disbursement and Pay Evidence Instructions tomorrow as soon as it's been executed by Dollar General's Executive Vice President and General Counsel, Susan Lanigan.

Yvette R. Davis U.S. Department of Labor December 14, 2005 Page 2

In addition, I will forward to you the Receipts as they are returned to me by the above individuals. Should I not have any of the Receipts by the end of January, I will arrange to forward you copies of each cancelled check by or before February 6, 2006.

Please let me know if you should need anything further.

Sincerely,

DOLLAR GENERAL CORPORATION

Tracy M. Loftis Legal Assistant

to Jennifer Gingery Cook



DOLLAR GENERAL CORPORATION

Telephone: (615) 855-5156 Facsimile: (615) 855-5154 e-mail: tloftis@dollargeneral.com

100 Mission Ridge Goodlettsville, TN 37072

615.855.4000

www.dollargeneral.com

December 13, 2005

Patricia Abshire 25 Dogwood Road Montgomery, AL 36108

> RE: **Backwages**

Dear Ms. Abshire:

Enclosed please find backwages owed to you by Dollar General in the gross amount of Two Hundred Twenty-Five and 38/100 Dollars. Also enclosed is a Receipt for Payment of Lost or Denied Wages. Please sign this upon receipt and return it to my attention in the enclosed prepaid, self-addressed, stamped envelope.

Sincerely,

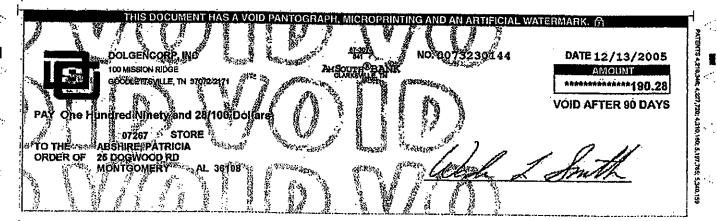
DOLLAR GENERAL CORPORATION

Trácy M. Løfti Legal Assistant

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ATTN: PAYROLL DEPARTMENT DOLGENCORP, INC C/O DOLLAR GENERAL CORPORATION 100 MISSION RIDGE GOODLETTSVILLE, IN 37072-2171 000493

AODRESS SERVICE REQUESTED

hallandillanlahllandiadkadlambil DEPT 07267 ABSHIRE, PATRICIA 25 DOGWOOD RD MONTGOMERY AL 36108 Receipt for Payment of Lost or Denied Wages, Employment Renefits or Other Compensation

F198 44 PAP 1945 # 1950

U.S. Department of Labor



Abstire, Patricia L		, hereby acknowledge receip	pt of payment in full
from Doigencorp, Inc., 2280	Eas	st South Boulevard, Montgomery, AL 36116	•
for the period to ginning with workweek ending		10/24/2003	through the workweek
ending :8/12/2005 .		of unpaid wages, employment benefits, or other compens	•
as shown in the column to the right) under the	Act(s) I	indicated in the marked box(es):	
The Fair Lation Standards Act 1		The Service Contract Act Gress	\$225.3 Amount \$
The Emplo, ie Polygraph Protection Act 2		The Davis-Bacon and Related Art	ductions \$
The Family and Medical Leave Act 3		The Contract Work Hours and Safety Standards Act	
The Walsh-: lealey Public Contracts Act		Title III - Consumer Credit Protection Act Net amount	racelyad \$
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1. WAGE AND HOUR COPY

Date: 12/05/2005 3:37:37 PM Case ID: 1419762 Page 1)



DOLLAR GENERAL CORPORATION

Telephone: (615) 855-5156 Facsimile: (615) 855-5154 e-mail: tloftis@dollargeneral.com

100 Mission Ridge Goodleitsville, TN 37072

615.855.4000

www.dallargeneral.com

December 13, 2005

Shaniki Culbertson 3250 F. Virginia Pines Lane Montgomery, AL 36116

> RE: **Backwages**

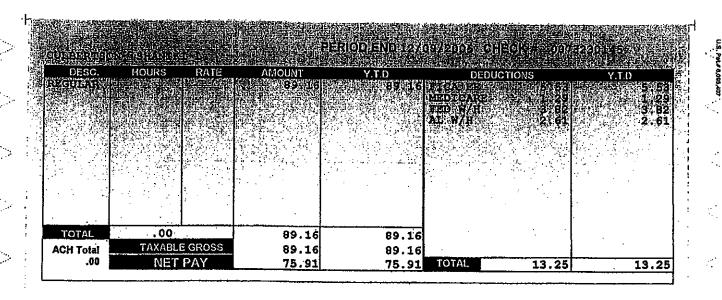
Dear Ms. Culbertson:

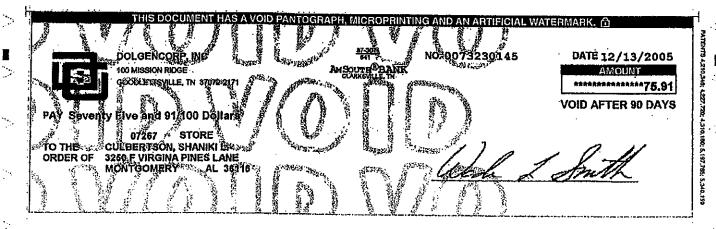
Enclosed please find backwages owed to you by Dollar General in the gross amount of Eighty-Nine and 16/100 Dollars. Also enclosed is a Receipt for Payment of Lost or Denied Wages. Please sign this upon receipt and return it to my attention in the enclosed prepaid, self-addressed, stamped envelope.

Sincerely,

DOLLAR GENERAL CORPORATION

Legal Assistant





#DD73230145# #D64103079# 4000080579**

"See Reverse Side For Easy Opening Instructions"



ATTN: PAYROLL DEPARTMENT DOLGENCORP, INC C/O DOLLAR GENERAL CORPORATION 100 MISSION RIDGE GOODLETTSVILLE, IN 37072-2171

000494

ADDRESS SERVICE REQUESTED

Talkallanllanllallanllanllanllanllanllan **DEPT 07267** STORE CULBERTSON, SHANIKI L. 3250 F VIRGINA PINES LANE MONTGOMERY AL 36116

Receipt for Payment of Lost or Denied Wages, Employme t Benefits, or Other Compensation

U.S. Department of Labor Employment Standards Administration

Wage and Hour Division



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1. WAGE AND HOUR COPY

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Page 21



DOLLAR GENERAL CORPORATION

Telephone: (615) 855-5156 Facsimile: (615) 855-5154 e-mail: tloftis@dollargeneral.com

100 Mission Ridge Goodlettsville, TN 37072

615.855.4000

www.dollargeneral.com

December 13, 2005

Kathy Jones 8444 Water Oak Ct. Montgomery, AL 36117

> RE: Backwages ·

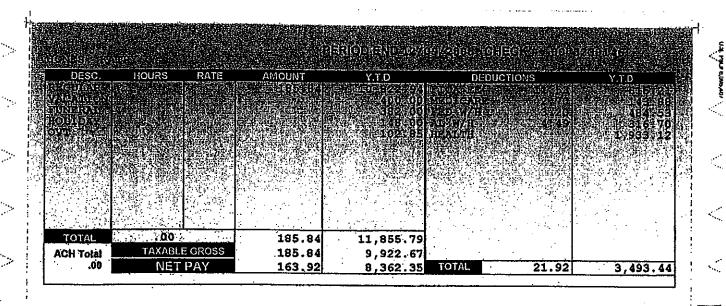
Dear Ms. Jones:

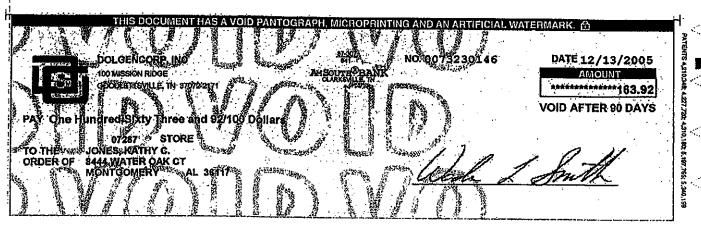
Enclosed please find backwages owed to you by Dollar General in the gross amount of One Hundred Eighty-Five and 84/100 Dollars. Also enclosed is a Receipt for Payment of Lost or Denied Wages. Please sign this upon receipt and return it to my attention in the enclosed prepaid, self-addressed, stamped envelope.

Sincerely,

DOLLAR GENERAL CORPORATION

Legal Assistant





#P0073230146# #064103079# 1000080579#

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ATTN: PAYROLL DEPARTMENT DOLGENCORP, INC C/O DOLLAR GENERAL CORPORATION GOODLETTSVILLE, TN 37072-2171

000405

ADDRESS SERVICE REQUESTED

JONES, KATHY C. 8444 WATER OAK CT MONTGOMERY AL 36117

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UNDER U.S CODE, TITLE 18, SEC. 1001.

1. WAGE AND HOUR COPY

Date: 12/0:/2005 3:37:38 PM

Case ID: 1419762



DOLLAR GENERAL CORPORATION

Telephone: (615) 855-5156 Facsimile: (615) 855-5154 e-mail: tloftis@dollargeneral.com

100 Mission Ridge Goodleitsville, TN 37072

615,855.4000

www.dollargeneral.com

December 13, 2005

Theresa Mims 7 Cedar St. Montgomery, AL 36110

> RE: **Backwages**

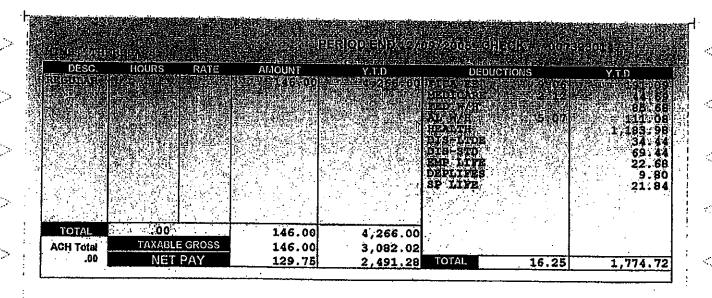
Dear Ms. Mims:

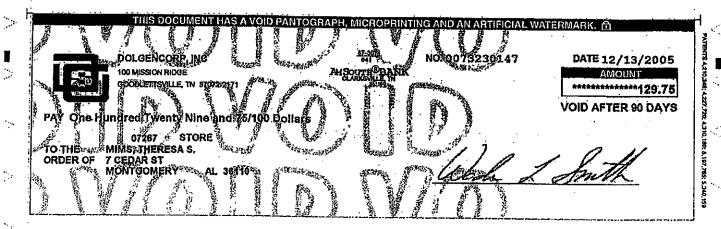
Enclosed please find backwages owed to you by Dollar General in the gross amount of One Hundred Forty-Six and 00/100 Dollars. Also enclosed is a Receipt for Payment of Lost or Denied Wages. Please sign this upon receipt and return it to my attention in the enclosed prepaid, self-addressed, stamped envelope.

Sincerely,

AR GENERAL CORPORATION

Legal Assistan





#**D073230147# #\$\$\$4103079# 1000080579#

"See Reverse Side For Easy Opening Instructions"



ATTN: PAYROLL DEPARTMENT DOLGENCORP, INC c/o DOLLAR GENERAL CORPORATION 100 MISSION RIDGE GOODLETTSVILLE, TN 37072-2171

000496

ADDRESS SERVICE REQUESTED

أرزار والسالب الصالب السالات السالب المسالب DEPT 07267 STOMIMS, THERESA S. 7 CEDAR ST MONTGOMERY AL 36110

Receipt for Payment of Lost or Denied Wages, Employment Benefits, or Other Compensation

U.S. Department of Labor Employment Standards Administration

Wage and Hour Division



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1. WAGE AND HOUR COPY

Date: 12/05/2005 3:37:39 PM

Case ID: 1419762

EXHIBIT 4



DOLLAR GENERAL CORPORATION

Telephone: (615) 855-5156 Facsimils: (615) 855-5154 e-mail: tloftis@dollargeneral.com

100 Mission Ridge Goodleitsville, TN 37072 615.855 4000

www.dollarganerol.com

February 1, 2006

Via Facsimile: 334-223-7746 Followed Via U.S. Mail Ms. Yvette R. Davis Wage & Hour Investigator U.S. Department of Labor 4001 Carmichael Road, Suite 215 Montgomery, AL 35105

> RE: Dolgencom, Inc. D/b/a Dollar General Store 7267

Dear Ms. Davis:

As instructed by the Department of Labor, enclosed please find Receipts of Payment of Lost or Denied Wages executed by Patricia Abshire and Theresa Mims. We did not receive executed Receipts from Kathy Jones or Shaniki Culbertson, therefore enclosed please find copies of their checks that have cleared the bank.

Please let me know if you should need anything further.

Sincerely,

DOLLAR GENERAL CORPORATION

Tracy M. Loftis Legal Assistant

to Jennifer Gingery Cook

12-08-2005 11:31

From-US DOL WAGE & HOUR

334 228 7746

T-686 P.002/006 F-424

Receipt for Payment of Lost or Denied Wages, Employment Benefits, or Other Compensation

U.S. Department of Fater CEIVED Employment Standards Administration Wage and Hour Division

e and Hour Division DEC 2 1 2005

Abg i re . Patrial a , hareby acknowledge, accipit of payment in full from Do. Jencorp, Inc., 2280 East South Boulevard, Montgomery, AL 36116 from Do. Jencorp, Inc., 2280 East South Boulevard, Montgomery, AL 36116 for the period t. glining with workweek ending	
for the period to girming with workweek ending 10/24/2003 through the workweek ending 8/12/2005 of unpaid wages, employment benefits, or other compensation due mas ending 8/12/2005 of unpaid wages, employment benefits, or other compensation due mas (as shown in it), column to the right) under the Act(s) indicated in the marked box(es): The Fair Lai or Standards Act 1 The Service Contract Act Gross Amount \$ \$225. The Emplo, Je Potygraph Protection Act 2 The Contract Mork Hours and Safety Standards Act The Walah Lealey ** dolic Contracts Act Title III - Consumer Credit Protestalan Act Net amount received \$ 1 NOTICE TO EMPLOYEE UNDER THE PAIR LABOR STANDARDS ACT - Your acceptance of backwages due under the Fair Labor Standards means that you have given up any right you may have to bring sult for such back wages under Section 16(b) of that Act. Section 16(b) provides that an employee may be storney's feee and court costs. Generally, a 2-year statute of limitation applies to lite recovery of backwages. Do not sign this rece, it unless you have accusity received payment of the back wages due. 2 NOTICE TO EMPLOYEE UNDER THE EMPLOYEE POLYGRAPH PROTECTION ACT - Your acceptance of lost wages and benefits under the Employee Polygraph Protection Act means that you have given up any right that you may have to bring suit for such lost wages and benefits, attorney's feet and court costs. Generally, a 3-year statute of imitations applies to the recovery of lost wages and benefits, other compensation due under the Family and Madical Leave Act means that you have given up any right they or may have to bring suit for such lost wages, employment benefits other compensation for lost of denied amounts under the Pamily and Madical Leave Act means that you have given up any right there was behalf for lost or denied wages, salany employment benefits on the compensation, interest on the lost or denied amounts and right you may have to bring suit for such to the recovery of amounts under the pamily and Madical Leave Act means that y	
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The Walsh; lastsy Sublic Contracts Act Title III - Consumer Credit Protection Act Net amount received \$ Other 1 NOTICE TO EMPLOYEE UNDER THE PAIR LABOR STANDARDS ACT - Your acceptance of backwages due under the Fair Labor Standards means that you have given up any right you may have to bring suit for such back wages under Section 16(b) of that Act. Section 16(b) provides that an employee may bring suit on his/her own behalf for unpaid minimum wages and/or overtime compensation and an equal amount as slightly as a timesy you have actually received payment of the back wages due. 2 NOTICE TO EMPLOYEE UNDER THE EMPLOYEE POLYGRAPH PROTECTION ACT - Your acceptance of lost wages and benefits under the Employee Pol graph Protection Act means that you have given up any right that you may have to bring suit for such lost wages and benefits, attorney's feat and court costs. Generally, a 3-year statute of limitations applies to the recovery of lost wages and benefits. Do not sign this receipt unless you have actually received payment of the amounts due. 3 NOTICE TO EMPLOYEE UNDER THE FAMILY AND MEDICAL LEAVE ACT - Your acceptance of lost or denied wages, amployment benefits other compensation for such 107(a) provides that an employee may bring suit on his/her own behalf for lost or denied wages, salar; employment benefits or other compensation, interest on the lost or denied amounts calculated at the prevaiting rate, an additional amount as liquidater damages, but attorney's feats and court costs. Generally, a 2-year statute of limitations applies to the recovery of amounts and the prevaiting rate, an additional amount as liquidater damages, palser; employment benefits or other compensation, interest on the lost or denied amounts calculated at the prevaiting rate, an additional amount as liquidater damages, palser; employment benefits or other compensation, interest on the lost or denied amounts calculated at the prevaiting rate, and difficults.	
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	1
Signature of er-ployes Palruia along along and along and along along and the place of er-ployer's Certification To Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor is hereby striffy that I have on this (Date) 12/17/05 paid the above-named employee in full covering osl or denied wages, employment benefits, or other compensation as stated above.	361
Signed Fallura (2650000 Tibe	

PENALTIES INCLUDING FINES OR IMPRISONMENT ARE PRESCRIBED FOR A FALSE STATEMENT OR MISREPRESENTATION UNDER U.S. CODE, TITLE 18, SEC. 1001.

1. WAGE AND HOUR COPY

Date: 12/05/2006 3:37:37 PM

Case ID: 1418762

12-08-2006 11:31 From-US DOL WAGE & HOUR

384 228 7746

T-566 P.005/005 F-424

Receipt for Payment of Lost or Denied Wages, Employment Benefits, or Other Compensation

U.S. Department of Labor Employment Standards Administration

Wage and Hour Division



Mine, Theresa		, hereby acknowledge receipt of payment in full
poligencorp, Inc., 2280) East South Boulevard, A	- fontgomery, AL 36116
from		
for the period to aginning with workweek ending	10/24/2003	through the workweek
ending : 8/12/2005	of unpaid wages, employ	ment benefits, or other compensation due me
(as shown in the column to the right) under the	Act(s) Indicated in the marked box(es):	
The Fair La. or Standards Act 1	The Service Contract Act	Gross Amount \$
The Emplo, as Poh graph Protection Act 2	The Davis-Bacon and Related Act	Legal Deductions \$ -
The Family and Medical Leave Act 3	The Contract Work Hours and Safety	Standards Act
The Walsh-leeley Public Contracts Act	Tale III - Consumer Credit Protection	Act Net amount received \$
H2A	□ _{Dtter}	
officer make the contract ato Possocities - f	at you have given up any right that you m	ay have to bring suit for such lost wages and banefits,
attorney's feer and court costs. Generally, a streetelf unless; you have actually received payer. 3 NOTICE Tr. EMPLOYEE UNDER THE FAM other compensation due under the Family and amounts und: a Section 107(a) of that Act. Sewages, salary employment benefits or other compensations.	3-year statute of limitations applies to the ment of the amounts due. III.Y AND MEDICAL LEAVE ACT - Your: I Medical Leave Act means that you have atton 107(a) provides that an employee no compensation, interest on the lost or denils fees and court costs. Generally, a 2-ye sees and court costs.	recovery of lost wages and benefits. Do not sign this acceptance of lost or denied wages, employment benefits, or given up any right you may have to bring sull for such may bring sult on his/her own behalf for tost or denied and amounts calculated at the prevailing rate, an additional ar stabula of limitations applies to the recovery of amounts
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attorney's feet and court costs. Generally, a secept unless you have actually received pays 3 NOTICE Tr. EMPLOYEE UNDER THE FAM other compensation due under the Family and amounts under Section 107(a) of that Act. Se wages, salar, employment benefits or other carnount as lic lidelect damages, plus attorney's due. Do not any this receipt unless you have signature of employees.	S-year statute of limitations applies to the ment of the amounts due. ALLY AND MEDICAL LEAVE ACT - Your I Medical Leave Act means that you have alten 107(a) provides that an employee nompensation, interest on the lost or denies fees and court costs. Generally, a 2-ye actually received payment of the amount Address Address EMPLOYER'S CERTIFICA	ecceptance of lost or denied wages, employment benefits, or given up any right you may have to bring sult for such may bring sult on his/her own behalf for lost or denied and amounts calculated at the prevailing rate, an additional ar stable of limitations applies to the recovery of amounts to due. CTION Ininistration, U.S. Department of Labor
attorney's feet and court costs. Generally, a secelpt unless; you have actually received pays 3 NOTICE Trit EMPLOYEE UNDER THE FAM other compensation due under the Family and amounts under Section 107(a) of that Act. Sewages, salary employment benefits or other camount as like ildefect damages, plus attorney's due. Do not a gnithis receipt unless you have signature of employee. To Wage and Hour Dividing the on this (Date)	S-year statute of limitations applies to the ment of the amounts due. ALY AND MEDICAL LEAVE ACT - Your il Medical Leave Act means that you have alton 107(s) provides that an employee in comparisation, interest on the lost or denies fees and court costs. Generally, a 2-year actually received payment of the amount of the am	ecceptance of lost or denied wages, employment benefits, or given up any right you may have to bring sull for such may bring sull on his/her own behalf for tost or denied and amounts calculated at the prevailing rate, an additional ar stable of limitations applies to the recovery of amounts to due. CTION Ininistration, U.S. Department of Labor paid the above-named employee
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UNDER U.S CODE, TITLE 18, SEC. 1001.

1. WAGE AND HOUR COPY

Page 4 1 Date: 12/0:/2005 3:37:39 PM Case ID: 1419762

mSouth Bank Treasury Management - Dollar General (1000080579) Paid Date: 01/17/2008 Serial Number: 73230148 Bank Sequence: 21405435

THIS DOCUMENT HAS A VOID PANTOGRAPH, MICROPRINTING AND AN ARTIFICIAL WATERMARK. (1)



DOLGENCORP, INC 100 MISSION RIDGE GOODLETTSVILLE, TN 37072-2171

NO. 0073230146

DATE 12/13/2005 **********163.92 **VOID AFTER 90 DAYS**

PAY One Hundred Sixty Three and 92/100 Dollars

TO THE ORDER OF

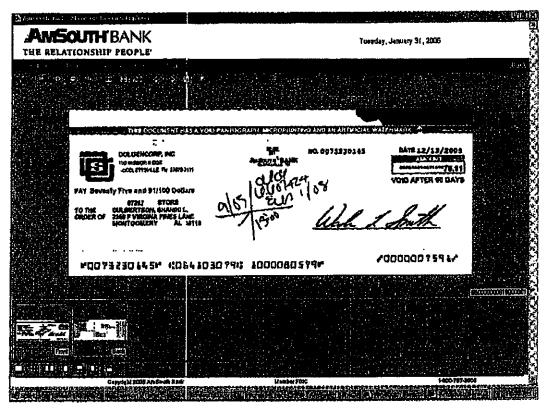
STORE 07267 JONES, KATHY C. 8444 WATER OAK CT MONYGOMERY

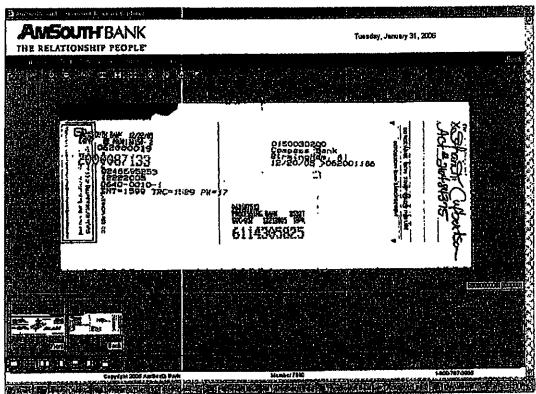
AL 38117

**DD7323D146# **O641D3D79# 100D08D579#

**GD000016395"

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MEMORY TRANSMISSION REPORT

TIME : FEB-01-2006 09:02AM

TEL NUMBER : 6158555154 : LAW DEPARTMENT

FILE NUMBER

: 315

DATE

: FE8-01 08:59AM

T0

1620112913342237746

DOCUMENT PAGES

005

START TIME

FEB-01 08:59AM :

END TIME

: FEB-01 09:02AM

SENT PAGES

005

STATUS

: OK

FILE NUMBER

: 315

*** SUCCESSFUL TX NOTICE ***

#E5 J

DOLLAR GENERAL CORPORATION

Telephone: (615) 855-5156 Facsimile: (615) 855-5154 s-mail: tioftis@dollargensral.com

COORDINATION ROOM 015.435 4000

February 1, 2006

Via Facsimile: 334-223-7746
Followed Vis U.S. Mail
Ms. Yvotte R. Davis
Wage & Hour Investigator
U.S. Department of Labor
4001 Carmichael Road, Suite 215
Montgomery, AL 35105

Dolgencom, Inc. D/b/a Dollar General Store 7267

Dear Ms. Davis:

As instructed by the Department of Labor, enclosed please find Receipts of Payment of Lost or Denied Wages executed by Patricia Abshire and Theresa Mims. We did not receive executed Receipts from Kathy Jones or Shaniki Culbertson, therefore enclosed please find copies of their checks that have cleared the bank.

Please let me know if you should need anything further.

Sincerely.

DOLLAR GENERAL CORPORATION

Frequ M. Loftis Logal Assistant Legal Assistant to Jennifer Gingory Cook

EXHIBIT 5

umSouth Bank Treasury Management - Dollar General (1000080579) Paid Date: 01/17/2008 Serial Number: 73230148 Bank Sequence: 21405435

THIS DOCUMENT HAS A VOID PANTOGRAPH, MICROPRINTING AND AN ARTIFICIAL WATERMARK. (1)

DOLGENCORP, INC. 100 MIBSION RIDGE GOOGLETTSVILLE, TN 37072-2171

NO. 0073230146

DATE 12/13/2005 AMOUNT ... ASA ***********163.92

VOID AFTER 90 DAYS

PAY One Hundred Sixty Three and 92/100 Dollars

TO THE ORDER OF

STORE 07267 JONES, KATHY C. 8444 WATER OAK CT AL 36117 MONTGOMERY

**DD73230146# #OE4103079# 1000080579#

****0**000016392#

ancies are form changed Securentials

080000116693000001

EXHIBIT 6

12-08-2005 11:26

From-US DOL WAGE & HOUR

334 223 7746

T-565 P.001/004 F-423

U.S. Department of Labor

Emilloyment Standards Administration Wile and Hour Division 40:1 Carmicheel Road, Suite 215 Millingomery, AL 36106 Telliphone (334) 223-7588, Ext. 14 Fa. (334) 223-7746





lo:	Dollar General		From:	Yvette R. Davis	
ax:	615-855-5154		Pagesi	4	
²hon∋:	615-865-61 5 7		Date:	12/08/2005	
Rei	Wage and Hour Investi	gation	CC:		
 ≺ Uπjei	it 🛘 For Review	□ Please Ç	omusent	🗆 Please Reply	□ Please Recycle
	Ms. Jennifer Cook		,, ,		found to our office for
2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	ent conversation, attache sure. If you have any que ER DAVIS				-isaxed <i>to</i> only only elok

warning *****The attached information may be confidential. It is intended only for the addressee(s) identified above. If you are not the addressee(s), please note that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this tax in error, please destroy the document and notify the sender of the error. Thank You